



Atty Docket No. BLFR 1006-1

**CERTIFICATE OF MAILING**

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*Ernest J. Boffel Jr.*

Ernest J. Boffel, Jr.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Robert E. DVORAK et al.

Application No. 09/905,174

Confirmation No. 2749

Filed: 13 July 2001

Title: **METHOD AND APPARATUS FOR  
SUPPLYING SYNTHETIC SALES  
HISTORIES**

Group Art Unit: 3623

Examiner: Beth VAN DOREN

**CUSTOMER NO.: 22470**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56**

Sir:

It is requested that the information submitted in the appendix to this document be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56.

04/24/2006 HMARZI1 00000016 09905174

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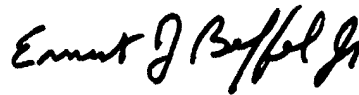
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Enclosed with this statement is a Form PTO-SB/08 that identifies the appendix to this document. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. 609.

This statement should be considered under 37 C.F.R. 1.97(c) because it is being filed before the mailing date of a FINAL office action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first, **AND** it is accompanied by the \$180 fee set forth in 37 C.F.R. 1.17(p).

**Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869 (BLFR 1006-1).

Respectfully submitted,

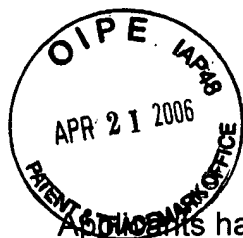


Dated: 17 April 2006

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## APPENDIX

## STATEMENT REGARDING PUBLIC USE

Applicants have reviewed the history of their product implementations and present the following information for the Examiner's consideration. This information is presently believed to be accurate, with dates given corresponding to dates on which features "went live" for clients of assignee.

Some features disclosed in this application and various patent applications from which this application claims priority were put into public use less than one year prior to filing of the following priority applications. The features and their public use dates are listed below. It has been the assignee's intention to timely file this series of applications within the one year grace period for public use.

Regarding the Patent Application entitled "METHOD AND APPARATUS FOR DISTRIBUTION OF FASHION AND SEASONAL GOODS", Application No. 09/708,944; filed 8 November 2000 for inventor Robert E. Dvorak (BLFR 1000-1 Fashion), the following features were put into public use less than one year before the filing date:

CAUSAL EVENTS	11/13/1999
MARKDOWN	11/13/1999
PQ DEMAND CALENDAR	11/13/1999
PROFILES	11/13/1999
PROMOTION	11/13/1999
SEASONALITY	11/13/1999
STOCKOUT FILLING	2/8/2000
ORPHAN STOCKOUT FILLING	2/8/2000

Regarding the Patent Application entitled "METHOD AND APPARATUS FOR MODIFICATION OF BASIC GOOD FORECASTS", Application No. 09/755,635; filed 5 January 2001 for inventors Robert E. Dvorak and Kevin Katari (BLFR 1001-1 Basic Goods Forecasts), the following features were put into public use less than one year before the filing date:

PQ DEMAND CALENDAR	2/21/2000
TIME LAG FOR DATA, PICKING, STOCKING AND SHIPPING	2/21/2000
STOCKOUT CORRECTION	2/21/2000
IN DATES	8/10/2000
OUT DATES	8/10/2000

Regarding the Patent Application entitled "METHOD AND APPARATUS FOR SUPPLYING SYNTHETIC SALES HISTORIES", Application No. 09/755,355; filed 5 January 2001 for inventors Robert E. Dvorak and Kevin Katari (BLFR 1002-1 Cloning),

the following features were put into public use less than one year before the filing date:

SKU SELF-CORRECTION	7/11/2000
SKU SELF-CORRECTION	
CHANGING HISTORY	7/18/2000
STORE SELF-CORRECTION	7/11/2000
STORE SELF-CORRECTION	
CHANGING HISTORY	7/18/2000

Regarding the Patent Application entitled "MULTIPURPOSE CAUSAL EVENT CALENDAR FOR INTEGRATED MANAGEMENT DECISION SUPPORT", Application No. 09/760,377; filed 12 January 2001 for inventors Kevin Katari and Robert E. Dvorak (BLFR 1003-1 Causal Calendar), the following features were put into public use more or less than one year before the filing date:

USE IN FASHION	11/13/1999
USE IN BASIC	2/21/2000
USE IN OTB	7/28/2000
USE IN BOTTOM UP	
PLANNING	7/28/2000
USE IN TOP-DOWN PLANNING	8/13/2000

Regarding the Patent Application entitled "METHOD AND APPARATUS FOR OTB ANALYSIS", Application No. 09/888,336; filed 22 June 2001 for inventors Robert E. Dvorak, Ronald S. Cope, Richard Pasternack, and Beth Li-Ju Chen (BLFR 1004-1 OTB), the following features were put into public use less than one year before the filing date:

PROJECTING OTB	7/28/2000
PROJECTING OTB WITH	
NOTIONAL ORDERS	7/28/2000
PROJECTING OTB WITH	
PRORATION	8/15/2000

Regarding the Patent Application entitled "MULTIPURPOSE PRESENTATION DEMAND CALENDAR FOR INTEGRATED MANAGEMENT DECISION SUPPORT", Application No. 09/766,539; filed 19 January 2001 for inventor Robert E. Dvorak (BLFR 1005-1 PQ Demand Calendar), the following features were put into public use more or less than one year before the filing date:

USE IN FASHION	11/13/1999
USE IN BASIC	2/21/2000
USE IN OTB	7/28/2000
USE IN BOTTOM UP	
PLANNING	7/28/2000
USE IN TOP-DOWN PLANNING	8/13/2000

Regarding the Patent Application entitled "METHOD AND APPARATUS FOR HANDLING DISRUPTIVE EVENTS AND REPLACEMENT ITEMS", Application No. 09/905,174; filed 13 July 2001 for inventors Robert E. Dvorak and Beth Li-Ju Chen (BLFR 1006-1 Disruptive Events), the following features were put into public use less than one year before the filing date:

AUTO TRANSFER OF PQ	9/9/2000
AUTO IN/OUT DATING OF REPLACEMENT ITEMS	9/9/2000
APPLYING OF FORECASTING TECHNIQUES	9/9/2000

Regarding the Patent Application entitled "A METHOD AND APPARATUS FOR PLANNING ANALYSIS", Application No. 09/905,255; filed 13 July 2001 for inventors Robert E. Dvorak, Richard Pasternack, Ronald S. Cope, and Beth Li-Ju Chen (BLFR 1007-1 Planning Analysis), the following features were put into public use less than one year before the filing date:

BOTTOM-UP PLANNING	7/28/2000
TOP-DOWN PLANNING	8/13/2000

If the Examiner needs further detail regarding public use of particular features, we would be happy to provide it. We would appreciate a telephone call so that we can discuss and understand the Examiner's information requirements and the Examiner can understand what information is reasonably available.



PTO/SB/08B (08-03)  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	09/905,174		
		Filing Date	13 July 2001		
		First Named Inventor	Robert E. Dvorak		
		Art Unit	3623		
		Examiner Name	Beth Van Doren		
Sheet	1	of	1	Attorney Docket Number	BLFR 1006-1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Statement Regarding Public Use prepared by Applicants	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's written description designating the English language translation. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.